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Crl.OP.No.25961 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25961 of 2025

Udhayakumar

... Petitioner

Vs.

State by
Inspector of Police,
Maduranthagam Police Station,
Chengelpattu District.
(Cr.No.446 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of arrest of the petitioner by the respondent in Crime No.446 of 2025 on the file of the Inspector of Police, Maduranthagam Police Station, Chengelpattu District.

For Petitioner : Mr.B.Deva Kumar

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



ORDER

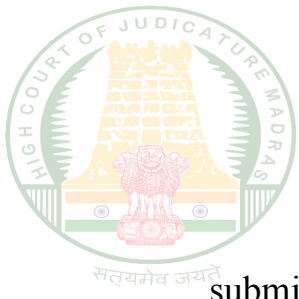
The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 115(2) and 351(2) of BNS Act, and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 in Cr.No.446 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and they are living separately. The petitioner had attacked his wife and threatened her with dire consequence. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution. He further submitted that no injury has caused to his wife and a false case has been registered. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and reported that no one sustained injury. He further reported that there is one previous case as against this petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case and the submissions made by both counsel, and taking note of the fact that there was a family dispute between the petitioner and his wife, no one sustained any injury in this regard and there is no previous case as against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-I, Maduranthagam** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** **with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial



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Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 05.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22.09.2025

Vv

To

1. The Judicial Magistrate-I, Maduranthangam

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2. The Inspector of Police,
Maduranthagam Police Station,
Chengelpattu District.

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3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

K.RAJASEKAR, J.

Vv



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